

MINUTES
UMATILLA COUNTY BOARD OF COMMISSIONERS
Meeting of December 3, 2014
9:00 a.m., Room 130, Umatilla County Courthouse
Pendleton, Oregon

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Commissioners Present: Bill Elfering, Chair; George Murdock, Vice-Chair, and Larry Givens, Commissioner

County Counsel: Doug Olsen

Members and Guests Present: Cindy Timmons, Milton-Freewater Kiwanis; Casey Severe, Pendleton; Dan Lonai, Admin. Services Director; Tammy Austin, Pilot Rock; Tamra Mabbott, Planning Director; John Taylor, Pilot Rock; Sheriff Terry Rowan; Undersheriff Jim Littlefield; Stewart Harp, Sheriff's Office; Dave Williamson, Sheriff's Office; Sterrin Holcomb, Sheriff's Office; Andy Millar, Attorney from Milton-Freewater; Jennifer Blake, Human Resources; Bob Heffner, Budget Officer; Robert Pahl, Finance Director; and Kathy Lieuallen, 911 Manager-UCSO.

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CALL TO ORDER

The meeting was called to order at 9:00 a.m. Chair Bill Elfering reminded all present that the meeting was a public forum. It is being recorded and minutes will be taken. If persons wish to speak before the BCC, identify yourself and where you live for the record.

Pledge of Allegiance. Those in the room stood, saluted the flag and recited the Pledge of Allegiance.

Awards/Recognitions/Correspondence

Chair Elfering read a thank you from Tracie Diehl for having Mikki Logan make a PERS presentation. He noted many employees expressed appreciation for the information about PERS; it is a complex system.

Minutes None at this time.

Additions to Agenda.

Other than agenda items, no presentations by public were noted. Commissioner Murdock advised he has something under Commissioner Reports regarding Westland Road.

Chair Elfering noted a small change in the item regarding Sheriff Exempt Employees – the discussion will be moved to end of agenda under Executive Session.

Agenda

1. **Public Land Use Hearing continuation of hearing - ODOT Wildhorse Creek Quarry Site.** Chair Elfering called the hearing to order at 9:05 a.m. This is a continuance of hearing from September

17, 2014 and November 26, 2014. Shane Finck, Planner, provided the staff report. He noted that Casey Severe, the property owner, previously had raised concerns at the initial hearing. He subsequently submitted another application regarding putting a home in the subject area. They have been working through any issues. Mr. Finck noted the rules and zones would not prevent Mr. Severe from building a home at the location. He noted the rule (152.063D) that relates to the EFU zone and dwellings near mining operations that are closer than 500 feet. The location in question by Mr. Severe is about 700 feet. There should be no issues for overlay protection for the quarry. Mr. Finck referred to documents regarding overlay of aggregate site; quarry operation; it is a significant source of aggregate, which is used mainly for highway 11 and that area for road maintenance.

The proposal is for 9.7 acres. This would prevent encroachments to the quarry side. Commissioner Givens asked Mr. Finck if there are any precedents or subsequent changes in place? Mr. Finck answered no.

Chair Elfering asked for anyone to speak in favor? None were heard. If asked if there was anyone to speak in opposition? None were heard. Commissioner Givens asked Mr. Severe about changes. Mr. Severe responded he was satisfied now that he can build a home on the site. Chair Elfering closed the hearing. **In the Matter of Amending Comprehensive Plan and Adding Wildhorse Creek Quarry Site to Goal 5 Aggregate Resources Inventory for Oregon Department of Transportation, Commissioner Givens moved to approve Ordinance No. 2014-08. Seconded by Commissioner Murdock. Carried, 3-0.**

2. Supplemental Budgets. Chair Elfering opened the Public Hearing at 9:10 a.m. He read a statement and asked for any testimony. Bob Heffner, Budget Officer, made the staff report. Budget Order No. 2015-22 regarding the Planning Department, which received approval to acquire a new copier; the expenditure will require an increase of \$6,726 in Capital Outlay, increase is to be provided from the General Fund Contingency. Budget Order No. 2015-23 is for the Milton-Freewater Facility Improvement program, requiring a \$150,000 increase in Capital outlay for purpose of funding for a new facility; appropriation increase will require transfer of \$150,000 of resources from the Wind Farm Distribution Program. Budget Order No. 2015-24 is for the Sam Cook Building for a new roof and HVAC system. This will require an increase of \$60,413 in the Stafford Hansell Government Improvement Capital Outlay from its Materials & Services. There were no questions. Chair Elfering asked if anyone wished to speak in favor. None were heard. Anyone opposed? None were heard. Seeing none, the hearing was closed by Chair Elfering. **All in the matter of Resolutions Adopting Supplemental Budgets for fiscal year ending 6/30/15, Commissioner Givens moved to approve Budget Order No. 2015-22. Seconded by Commissioner Murdock. Carried, 3-0. Commissioner Murdock moved to approve Budget Order No. 2015-23. Seconded by Commissioner Givens. Carried, 3-0. Commissioner Givens moved to approve Budget Order No. 2015-24. Seconded by Commissioner Murdock. Carried, 3-0.**
3. Budget Transfers. Bob Heffner gave the staff report. Budget Order No. 2015-25 is for the Wind Farm Distribution (within community benefit fund) to support the increase in funding to the Milton-Freewater Facility Improvement program (building fund), requiring \$150,000 increase in the Transfer out requiring transfer of appropriations from Contingency. Budget Order No. 2015-26 is for GIS (Geographical Information Services) requires an \$18,000 increase in Personnel

Services to remain within authorized expenditures at year-end; Records has funds available to transfer to meet the need. **In the matter of Resolutions for fiscal year ending 6/30/15, Commissioner Givens moved to approve Budget Order No. 2015-25. Seconded by Commissioner Murdock. Carried, 3-0. Commissioner Murdock moved to approve Budget Order No. 2015-26. Seconded by Chair Elfering. Carried, 3-0.**

4. Grant Request from Milton-Freewater Kiwanis. Cindy Timmons, grant writer for the Kiwanis, referred to a recent letter including a grant request to encompass any commercial property in the 97862 zip code (Milton-Freewater). It will be sweat equity for building façade beautification – i.e. painting, repair work. Chair Elfering asked about the Milton-Freewater Downtown Association and how it correlates to the Kiwanis request. Ms. Timmons responded it is a common/blending together within Milton-Freewater. She noted many people are members of Kiwanis, the Downtown Association, Rotary and etc. Buildings are in need of beautification. This particular project request is only on behalf of the Kiwanis. The Downtown Association is working on other projects. She went over budget and items – most are brick and mortar.

Commissioner Givens noted the Milton-Freewater Downtown Alliance will attend the BCC meeting on 12/17/14 to make their presentation. Chair Elfering noted the County Economic Development program has an estimated \$57,000 left to spread throughout county until the end of the Fiscal Year, 6/30/15. He noted some funds are available, but there is need to make sure the entire county is considered. He would like to see coordination of Milton-Freewater organizations to pitch in to a common goal. Ms. Timmons spoke about McMinnville and how 20 years ago is where Milton-Freewater is now. She feels this is the beginning of a common goal in Milton-Freewater. She has spoken with Randy Grant at MFDA, noting a coordinated effort. Commissioner Murdock added that he has been to McMinnville – it is a beautiful place. He applauds Milton-Freewater’s efforts. He also talked about the county’s intent to improve façades. Chair Elfering talked about funding that comes to county from lottery funds – money is provided from the State for community and economic development purposes. Commissioner Givens suggested rather than making decision today he would like to table this item until after the 12/17/14 BCC meeting when the MFDA makes its presentation. He feels it would be best. Commissioner Murdock asked if Ms. Timmons could attend the 12/17 meeting as well. She responded she could attend. Chair Elfering thanked Ms. Timmons for the application and information presented that day. There is a committee who will look at requests from building owners. Chair Elfering asked about numbers of Kiwanis members. Ms. Timmons noted the group is very active and service driven. She believes active members are 30 and the roster may be about 50. She noted many members serve on other committees. She is a grant writer, but not a member of Kiwanis. Chair Elfering commended volunteers doing great work providing “sweat equity”. Commissioner Murdock talked about the need for more information that Ms. Timmons could provide for the 12/17 meeting. Commissioner Givens asked for a Power Point presentation of the buildings, if possible. Ms. Timmons agreed she could work on that. **Commissioner Murdock moved to table the Milton-Freewater Kiwanis request until the Board of Commissioners’ 12/17/14 meeting. Seconded by Commissioner Givens. Carried, 3-0.**

5. Stock Drive Road Legalization. Chair Elfering called the public hearing to order at 9:25 and he asked for the staff report. Gary Roberts, Surveying Foreman, County Road Department presented. He referred to the map projected on the monitors. The existing road is marked in gray. The plan is to reconstruct the road in that area, shown in orange. He then referred to items

“vacated”. Today, the legalization is the portion going up the hill and also on the West end where it runs East and West. There are 2 different parts – West and the part going up the hill on the curve. The dotted red line shows what is proposed. He noted there is a proposed subdivision in that area. Commissioner Givens asked about property owners – are they in agreement? Mr. Roberts advised he did not know. The width will be 60 feet, but it narrows down somewhat to 56 feet for a small portion. A lot of the roads are in Pilot Rock’s City Limits.

Chair Elfering asked if there were any in favor? John Taylor from Pilot Rock came to the podium. He noted he did a Google Earth maps search. And he spoke about the annexation by Jim Hatley. He noted the City of Pilot Rock is working on the process right now. At this time, he did not have objections, as long as an easement to his property is allowed. He then provided background -- Mr. Britt was a construction road builder; he simply moved the road since it was on his property. It was straightened. Mr. Taylor added he wants to be sure there is access to the easement to his property and 3 other property owners. Chair Elfering asked about the easement. Mr. Roberts projected a Google map showing the subject property. There will not be a gap to the easement.

George Schmidt came to the podium, he is also a neighbor. He talked about the corner area on the map – there is a large storage container on the corner in question. Mr. Roberts noted it would need to be moved slightly – about 4 feet. Discussion continued including location, maps, and road width. Mr. Roberts reiterated mostly the road will be 60 feet wide.

Chair Elfering asked for any who are opposed. None were heard. Chair Elfering closed the hearing at 9:52 a.m. **Commissioner Givens moved in the Matter of Legalization of a Portion of Stock Drive Road and Delwood Place (aka Delwood Street), County Road No. 1388 to approve Order No. RD2014-26. Commissioner Murdock seconded. He asked about assurances of access that were requested. Mr. Olsen noted the legal description includes the easement assurance and it is part of the Order. The Board agreed that is part of the motion. Carried, 3-0.**

6. Vacation of George Road. Chair Elfering opened the public hearing at 9:54 a.m. This road is in Doris, now called Rieth. He read a statement. Mr. Roberts gave the staff report. He referred to the map projected on monitor. The red area shows the 15 feet. of property that is the subject of the vacation. Chair Elfering asked for anyone in favor. None were heard. He asked for anyone opposed. None were heard. He closed the hearing at 9:58 am. Commissioner Givens asked Mr. Roberts about where property will revert. Mr. Roberts responded it will be split on both sides. **In the Matter of Vacation of a Portion of George Street, a platted public road in the Town of Doris, now Rieth, Oregon, Commissioner Givens moved to approve Order No. RD2014-27. Seconded by Commissioner Murdock. Carried, 3-0.**
7. Transfer of Road – City of Pendleton. Mr. Olsen noted the public hearing by the City of Pendleton for this item is set for 12/3/14. There were questions about roads and descriptions that needed to be resolved, which delayed the notice for the hearing. Questions have been resolved and the matter can move forward. **Commissioner Murdock moved to continue the hearing on the transfer of roads to the City of Pendleton to 12/17/14 at 9:45 a.m. Commissioner Givens seconded. Carried, 3-0.**

8. Placement of Road Gate. Mr. Olsen noted that due to vandalism to equipment at the Schubert Gravel Pit, as well as other property, the placement of a gate is sought on Harris Road, just South of its intersection with Seven Hills Road. Landowners who use the road to access property on Harris Road are supportive. The improved area of the road ends just South of this location. **Commissioner Givens moved to approve placing a gate as noted and to adopt Order No. RD2014-28. Commissioner Murdock seconded. Carried, 3-0.**
9. Appointment of Connie Umphred to Behavioral Health Advisory Committee. Commissioner Murdock reported. **Recommendation made to appoint Connie Umphred, PhD pursuant to Order No. BCC2014-082, so moved by Commissioner Murdock. Seconded by Commissioner Givens. Carried, 3-0.** The BCC Executive Secretary will notify Dr. Umphred as to her appointment.
10. Courthouse Second Floor Bathroom Tile. Dan Lonai, Administrative Services Director reported. As part of remodeling, he advised the restrooms on the second floor need to be ADA compliant. A request for proposals is necessary for the replacement of tile. State Courts has funding to pay for the estimated cost of \$10,000, which would require the county to advertise for Requests for Proposals. **Commissioner Murdock moved to approve Administrative Services to Request for Proposals to purchase and install tile flooring as noted. Seconded by Commissioner Givens. Carried, 3-0**
11. Courthouse Second Floor Doors. Mr. Lonai noted the existing doors are not compliant and in need of replacement so that they all match – doors would be compliant for egress in case of emergency. In order to be compliant, we need to upgrade to automatic doors. This item also needs a RFP. Cost is estimated to be over \$10,000, requiring advertisement like with the bathroom tile floors. Again, State Courts has funding to pay for the estimated cost of \$10,000. Mr. Lonai responded to Commissioner Givens' question – he talked about the size and specifications of the doors -- a “crash door” concept. Commissioner Murdock noted that he and Mr. Lonai, Roy Blaine (Trial Court Administrator) and others toured the second floor remodeling; there is still more to be done. **Commissioner Murdock moved to approve Administrative Services issuance of Request for Proposals. Seconded by Commissioner Givens. Carried, 3-0.**
12. Creation of Position - Public Health. Commissioner Murdock reported. Approval is sought for a new classification for Public Health Nurse IV. The new classification is to recognize the additional experience beyond the current Public Health Nurse III position in order to be competitive. The salary would be at a Range 28. **Commissioner Murdock moved to approve creation of position classification for Public Health Nurse IV. Seconded by Commissioner Givens. Carried, 3-0.**
13. Dispatch Agreement. Kathy Lieuallen, 911 Manager at UCSO, gave a staff report. There is need for renewal of the existing agreement with the City of Pendleton. She noted some changes are based on current needs. Percentage was lowered which changes dollar amounts. She compared the agreement to the City of Hermiston's. She noted this agreement is basically updating percentages and flexibility and also the term. There were no other questions. Mr. Heffner asked about the starting date of 1/1/15. Lieuallen noted that amount has been paid since July 1. Mr. Heffner talked about calculations he must do for budget purposes. He wants to be sure charges

are made per contract. He also pointed out the Finance Department will be impacted. His recommendation is that the Finance Department has the opportunity to review the contract before a final decision. Robert Pahl, Finance Director, expressed appreciation for the opportunity to review the contract. Based on that, a postponement on action should be made until the 12/17/14 BCC meeting. **Commissioner Givens moved to review the 911 Dispatch Agreement (City of Pendleton) again on 12/17/14 after the Finance Department has the chance to review the agreement. Seconded by Commissioner Murdock. Carried, 3-0.**

14. Nobles Property Offer. Mr. Olsen reported. Clyde and Betty Nobles in Hermiston made an offer of \$13,000 to purchase house/property (345 NW 7th in Hermiston) acquired for delinquent property taxes. It is on tax roll for \$65,000; the land is worth about \$40,000 to \$45,000 – the house is in bad shape. It was priced at auction for \$55,840, but there were no bids on the property. The Nobles' bid exceeds the minimum amount allowed by law. He noted the county could accept it, but the recommendation by the assessor is to make a counter-proposal for nothing less than \$20,000. It went through auction and has been posted on county website with nothing being bid. **Commissioner Murdock moved to counter-offer to the Nobles at \$20,000. Seconded by Commissioner Givens. Carried, 3-0.**

Executive Session was declared at 10:16 a.m. Chair Elfering asked the audience to vacate the room with the exception of UCSO staff and Jennifer Blake and Robert Pahl.

Chair Elfering called the meeting back to order at 11:24 a.m.. Commissioner Givens said he has heard good response from the public about the Sheriff's Office. Chair Elfering added he too has seen good response with creativity and efficiency of operations by UCSO.

Commissioner Reports

Commissioner Givens:

1. MPO: He reported he has attended a number of meetings with the MPO. One of its Board members wants to apply for the Executive Director position for the MPO and this same individual is also on the Walla Walla City Council. He talked about bylaws being changed for the MPO going to a fiscal year rather than a calendar year. Dues may be increased. He will attend a meeting that afternoon at the MPO office in Walla Walla. He also reported that, as of 2/28/15, he has asked to step down as Chairman of the MPO – his county duties are increasing and he will request that Planning Director Tamra Mabbott be his replacement on the MPO in March.
2. DOGAMI: Representatives want to meet with him Monday afternoon regarding the DOGAMI budget and other personnel issues in Portland.

Commissioner Murdock:

1. KUMA Coffee Hour: He plans to do the KUMA program on 12/16/14. No staff meeting that Monday.
2. Meeting request. He reported he had received a call that morning from a Mr. Middleton who lives on Westland Road. He wants meeting with the Commissioners, Public Works and the Sheriff's Office. Commissioner Murdock will put this in written form with details to discuss at a date in the near future.

Commissioner Elfering:

1. Economic Development: He met last week with City of Hermiston representatives to discuss an economic development project. If it comes to fruition, they would need an estimated \$80,000 to extend infrastructure. More discussions will continue and he will report as needed.
2. Festival of Lights. He met yesterday he met with Peggy Anderson, Fair Manager, and Larry Fetter. With EOTEC being built, the festival will be changing location. They want to move the Festival to downtown Hermiston. Other requests for the lights came from Echo, Irrigon and from Boardman. Mr. Olsen said the Fair Board is supportive of turning the lights over to another entity. Commissioner Elfering reported that an inventory of lights stored in containers was done last weekend where everything was sorted out. Discussion included the large storage containers, disposition of lights and other items, and timeline.
3. Tourism. He recently met with a tourism group of about 15 people. Appreciation was expressed by all. Commissioner Givens asked about economic development transition in January (Hulette is to retire end of December), and how things will be handled. Discussion continued about the presence by Commissioners as opposed to a separate economic development director. Robert Pahl said historically (in the last 18 months), the direction of the county is to support communities by sponsorships and memberships. Discussion included community/economic development, sponsorship, attendance at events, etc. They also talked about decorations, historically, and what to do moving forward. Commissioner Givens said he wants the policy to be purchase tickets or tables but not spend money on sponsorships or decorations – this can be very expensive.

There was no further business.

The meeting was adjourned at 11:40 a.m.

Respectfully submitted,

Melinda Slatt

Executive Secretary
Umatilla County Board of Commissioners